

An Act

ENROLLED HOUSE
BILL NO. 1257

By: Hilbert of the House

and

Stanislawski of the Senate

An Act relating to counties and county officers;
amending 19 O.S. 2011, Section 971, which relates to
county employee's retirement systems; eliminating
certain employer contribution cap; and providing an
effective date.

SUBJECT: County employee retirement systems

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 19 O.S. 2011, Section 971, is
amended to read as follows:

Section 971. A. Effective July 1, 1999, each county of the
state may establish a County Officer and Employee Deferred Savings
Incentive Plan as authorized by this act.

B. A county electing to establish a County Officer and Employee
Deferred Savings Incentive Plan shall establish a County Officer and
Employee Deferred Savings Incentive Plan Fund for the payment of
matching employer contributions as provided by this section, subject
to the limit upon the amount of the matching employer contribution
as provided by law. The participating employer shall pay the
contributions from the same source of funds used in paying salary to
the county officer or employee.

C. Subject to the limit imposed by subsection D of this
section, for each qualified participant as defined in this section,
the board of county commissioners of each county electing to
establish a County Officer and Employee Deferred Savings Incentive

Plan shall pay each month from the County Officer and Employee Deferred Savings Incentive Plan Fund a sum equal to the amount contributed each month by the participating county officer or employee to the deferred compensation plan account established for the participant pursuant to Section 457 of the Internal Revenue Code of 1986, as amended.

D. The board of county commissioners of each county shall set the amount of county contribution, ~~but the amount of the contribution made by the county pursuant to subsection C of this section shall not exceed Fifty Dollars (\$50.00).~~

E. The payment of the matching employer contribution as authorized by this section by any county electing to establish a County Officer and Employee Deferred Savings Incentive Plan shall be made to a plan established pursuant to the Internal Revenue Code, Section 401(a), for the benefit of the officers and employees of the county.

F. For the purposes of this section, "qualified participant" means a:

1. "County employee" as defined by Section 957 of ~~Title 19 of the Oklahoma Statutes~~ this title who is a participant in a deferred compensation plan established by the county pursuant to Section 457 of the Internal Revenue Code of 1986, as amended; and

2. "County officer" as defined by Section 131 of ~~Title 19 of the Oklahoma Statutes~~ this title who is a participant in a deferred compensation plan established by the county pursuant to Section 457 of the Internal Revenue Code of 1986, as amended.

G. The board of county commissioners for each county electing to create a County Officer and Employee Deferred Savings Incentive Plan shall be responsible for establishing rules and plan documents for administration of the plan and all contributions made to the plan.

H. Pursuant to the requirements of Section 10 of Article XXIII of the Oklahoma Constitution, no county officer shall be able to receive matching contributions in the County Officer and Employee Deferred Savings Incentive Plan account described by this section during a term of office which commenced prior to the effective date of this act. A county officer may participate in the County Officer and Employee Deferred Savings Incentive Plan described by this

section during a term of office which commences after the effective date of this act.

SECTION 2. This act shall become effective November 1, 2019.

Passed the House of Representatives the 18th day of February, 2019.

Presiding Officer of the House
of Representatives

Passed the Senate the 16th day of April, 2019.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____